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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MAY 21, 1999

APPLICATION OF

BLUE SPRINGS, INC.

CASE NO. PUE980737

For a certificate of public
convenience and necessity

PROCEDURAL ORDER

On November 3, 1998, Blue Springs, Inc. ("Blue Springs" or "the Company") filed an application to obtain a certificate of public convenience and necessity requesting authority to continue to provide water service to the residents of the community of Rose Hill in Lee County. By order of January 13, 1999, the Commission, among other things, directed that Blue Springs give notice of its application to its customers and local government officials; invited the public to comment or request a hearing on the application; and directed the Commission Staff to review the Company's application and submit a report on or before June 15, 1999.

The Commission received a number of comments from customers of Blue Springs objecting to the granting of a certificate to the Company. In addition, the Lee County Board of Supervisors and Public Service Authority both filed comments noting their objection to the Company's application. The Lee County Public

Service Authority requested a hearing on the application and further requested that the hearing be held in Rose Hill.

NOW THE COMMISSION, upon consideration of Blue Springs' application, and the comments filed by the Company's customers and the Lee County Board of Supervisors and Public Service Authority, is of the opinion that a procedural schedule should be established to receive evidence relevant to the Company's application; that the Company shall furnish notice to its customers of the schedule established herein; and that this matter should be assigned to a Hearing Examiner pursuant to Rule 7:1 of the Commission's Rules of Practice and Procedure ("Rules") to conduct all further proceedings; and that the assigned Hearing Examiner should schedule a hearing in this matter which may be held in the Rose Hill community in Lee County if an appropriate location can be obtained. Accordingly,

IT IS ORDERED THAT:

(1) Pursuant to Rule 7:1, a Hearing Examiner is appointed to conduct all further proceedings in this matter.

(2) The Hearing Examiner appointed herein shall schedule a public hearing by separate ruling which, if the Examiner finds appropriate, may be held in the community of Rose Hill.

(3) On or before June 30, 1999, the Company file with the Commission's Document Control Center an original and fifteen (15) copies of the prepared testimony and exhibits the Company

intends to present at the public hearing, and make a copy of the same available for public inspection as provided in paragraph (2) of the Commission's January 13, 1999, Order Inviting Written Comments and Requests for Hearing.

(4) On or before July 8, 1999, any person desiring to participate as a Protestant, as defined in Rule 4:6, shall file with the Clerk of the Commission an original and fifteen (15) copies of a Notice of Protest as provided in Rule 5:16(a) and shall serve a copy on the Company. Service upon the Company shall be made on Milas D. Franks, President, Blue Springs, Inc., 13620 Herald Road, Coeburn, Virginia 24230.

(5) Within five (5) days of receipt of any Notice of Protest, the Company shall serve on each Protestant a copy of all material now or hereinafter filed with the Commission.

(6) Any person who expects to submit evidence, cross-examine witnesses, or otherwise participate in the proceeding as a Protestant, pursuant to Rule 4:6, shall file on or before July 21, 1999, an original and fifteen (15) copies of a Protest with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218 referring to Case No. PUE980737 and shall simultaneously send a copy thereof to the Company as provided in paragraph (4) above.

(7) The Protest shall set forth (i) a precise statement of the interest of the Protestant in the proceeding; (ii) a full

and clear statement of the facts which the Protestant is prepared to prove by competent evidence; and (iii) a statement of the specific relief sought and the legal basis therefor. Any corporate entity or governmental unit that wishes to submit evidence, cross-examine witnesses, or otherwise participate as a Protestant must be represented by legal counsel in accordance with the requirements of Rule 4:8.

(8) On or before July 21, 1999, each Protestant shall file an original and fifteen (15) copies of the prepared testimony and exhibits the Protestant intends to present at the public hearing, and shall simultaneously mail a copy to the Company at the address set out above.

(9) On or before August 4, 1999, the Commission Staff shall file an original and fifteen (15) copies of the prepared testimony and exhibits Staff intends to present at the public hearing and shall serve a copy of each upon the Company and each Protestant. Such filing shall be in lieu of the Staff Report to be filed June 15, 1999, pursuant to the Commission's January 13, 1999, order.

(10) On or before August 17, 1999, the Company shall file an original and fifteen (15) copies of all testimony it expects to introduce in rebuttal to all direct prefiled testimony and exhibits. Additional rebuttal evidence may be presented without prefiling, provided it is in response to evidence which was not

prefiled but elicited at the time of the hearing, and provided further, the need for additional rebuttal evidence is timely addressed by motion during the hearing and leave to present said evidence is granted by the Hearing Examiner. A copy of the prefiled rebuttal evidence shall be sent to the Company and to all other parties to the proceeding.

(11) The Company and Protestants shall respond to written interrogatories within ten (10) days after receipt of same. Protestants shall provide the Company, other Protestants, and Staff with any work papers or documents used in preparation of their filed testimony promptly upon request. Except as modified above, discovery shall be in accordance with Part VI of the Rules.

(12) On or before June 21, 1999, the Company shall cause a copy of the following notice to be sent to each of its customers by first class mail, postage prepaid (bill inserts are acceptable):

NOTICE TO THE PUBLIC OF A PROCEDURAL
SCHEDULE FOR THE APPLICATION OF BLUE
SPRINGS, INC. FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY
CASE NO. PUE980737

TAKE NOTICE that the State Corporation Commission has established a procedural schedule for the receipt of evidence relevant to Blue Springs' application to obtain a certificate of public convenience and necessity. The Company has requested authority to continue to provide water

service to the residents of Rose Hill in Lee County. The Company's proposed tariff was published in its notice furnished to customers on or about February 16, 1999.

By subsequent ruling, the date and location of a public hearing on Blue Springs' application will be established by a Commission hearing examiner.

A copy of the Company's proposed tariffs and accompanying materials are available for public inspection during regular business hours at the Rose Hill public library, Old Highway 58, Rose Hill, Virginia 24281. A copy of the proposed tariffs is also available Monday through Friday, 8:15 a.m. to 5:00 p.m. at the Commission's Clerk's Office, Document Control Center, First Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia. On and after August 17, 1999, a copy of the Company's prefiled testimony and exhibits will be available for public inspection at the same locations.

On or before July 8, 1999, any person desiring to participate as a Protestant, as defined in Rule 4:6 of the Commission's Rules of Practice and Procedure ("Rules") shall file an original and fifteen (15) copies of a Notice of Protest, as provided in Rule 5:16(a), with the Clerk of the Commission and serve a copy upon the Company. Service upon the Company shall be made on Milas D. Franks, President, Blue Springs, Inc., 13620 Herald Road, Coeburn, Virginia 24230.

Any person who expects to submit evidence, cross-examine witnesses or otherwise participate in the proceeding as a Protestant, pursuant to Rule 4:6, shall file on or before July 21, 1999, an original and fifteen (15) copies of a Protest with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118,

Richmond, Virginia 23218 referring to Case No. PUE980737 and shall simultaneously send a copy thereof to the Company at the address provided in the foregoing paragraph.

The Protest shall set forth (i) a precise statement of the interest of the Protestant in the proceeding; (ii) a full and clear statement of the facts which the Protestant is prepared to prove by competent evidence; and (iii) a statement of the specific relief sought and the legal basis therefor. Any corporate entity or governmental unit that wishes to submit evidence, cross-examine witnesses, or otherwise participate as a Protestant must be represented by legal counsel in accordance with the requirements of Rule 4:8 of the Commission's Rules.

On or before July 21, 1999, each Protestant shall file an original and fifteen (15) copies of the prepared testimony and exhibits Protestant intends to present at the public hearing, and shall simultaneously mail a copy to the Company at the address provided above, and to other Protestants.

All written communications to the Commission regarding this case should be directed to Clerk of the State Corporation Commission, P.O. Box 2118, Richmond, Virginia 23218, and should refer to Case No. PUE980737.

BLUE SPRINGS, INC.

(13) On or before June 29, 1999, the Company shall file with the Clerk of the Commission proof of notice as required by paragraph (12).